



Instructions for Completing the License Application for Marine Terminals

Use these instructions to: 1) complete the license application form DEP-MT-APP-300 and 2) prepare supporting documents. These instructions are not a substitute for the requirements of the relevant statutes and any regulations thereunder. You should review all applicable laws prior to completing this application. Remember, it is your responsibility to comply with all applicable laws.

Introduction

Section 22a-449(b) of the Connecticut General Statutes (CGS) governs the loading or unloading of petroleum or chemical liquids and other potentially hazardous products from vessels. A marine terminal is any facility or area used for the loading or discharge of petroleum or chemical liquid or products to or from vessels. Pursuant to this section, any person who owns or operates a marine terminal facility must apply for a license from the Department of Environmental Protection (DEP). If you have any questions, please contact the Marine Terminal Program Coordinator at the DEP Bureau of Waste Management at (860) 424-3298.

Who Needs a License?

New Application

An owner or operator of a new marine terminal facility must submit a completed application and obtain a license from DEP to operate such facility prior to commencing operations **or construction**.

License Renewal Application

An owner or operator of an existing marine terminal facility must submit a completed application for such a facility to DEP at least one-hundred-twenty (120) days prior to expiration of the existing license. If the submission of the application is later than 120 days but before the expiration date, you will be required to pay additional fees in accordance with CGS Section 22a-6j(b).

License Modification

Prior to implementing any modifications, the owner or operator must provide written notification to:

MARINE TERMINAL PROGRAM COORDINATOR
DEPARTMENT OF ENVIRONMENTAL PROTECTION
79 ELM STREET
HARTFORD, CT 06106-5127

Examples of modifications include (but are not limited to): a change in the identity of the facility's owner or operating company; a change to the facility such as tank reconstruction, renewal or addition; dock or bulkhead alterations; or loading or off-loading area modifications.

If you need to submit a revised license application based upon any modification, you will receive written notification from DEP.

Please also be aware that *all* changes in phone numbers must be immediately reported to the Marine Terminal Program Coordinator at (860) 424-3298; followed by a confirmation, in writing, within 30 days of the change.

How To Apply

Your license application must include the following:

- A *Permit Application Transmittal Form* (DEP-APP-001),
- A *License Application for Marine Terminals* (DEP-MT-APP-300) and all Supporting Documents,

- The initial fee of one hundred and twenty five dollars (\$125.00), paid by check or money order, made payable to the "Department of Environmental Protection".

Note: The initial fee is the total permit application fee due.

You must submit the above materials together as a package to:

CENTRAL PERMIT PROCESSING UNIT
DEPARTMENT OF ENVIRONMENTAL PROTECTION
79 ELM STREET
HARTFORD, CT 06106-5127

When submitting your license application, label your supporting documents as directed on your application form and always include, on each document, the applicant's name as indicated on the *Permit Application Transmittal Form*. When additional space is necessary to answer a question stated in the application, please insert additional sheets by the appropriate question. Label each sheet with the applicant's name as indicated on the *Permit Application Transmittal Form* along with the corresponding part number and question number indicated on the license application form. You should retain a copy of all documents for your files.

License Application Instructions (DEP-MT-APP-300)

Please read the application form and instructions carefully. They have been designed to obtain specific information and any information that is missing or unclear will cause delays in the review process. If any questions are not applicable to your specific activity, please enter "N/A" in the space provided. If a question or supporting document is only required for specific activities it will be noted on the application form and in the instructions.

Please be advised that these instructions are not a substitute for any state or federal regulations. Be sure to refer to the appropriate statutes and regulations while completing your application.

Check the "Available Resources" section at the end of these instructions for assistance in obtaining guidelines, maps, etc., which are referenced in these instructions.

Part I: Application Type

Please indicate whether you are applying for a new license or for a renewal of an existing license by checking the appropriate box. A license is deemed to be "existing" *only* if it has not yet expired on the date you file your application. Please provide the existing license number.

Part II: License Type and Fee Information

The fee for each application is \$125.00, and must be submitted with the application. DEP will not process an application unless the required fee has been paid. There is no discount for municipalities.

Part III: Applicant Information

When completing this part, please use the following standards:

- *Name* - Provide the full, legal *company/firm* name. (If identifying a *corporation* or *limited partnership* registered with the Secretary of the State, fill in the name exactly as it is shown on the registration.) If identifying an *individual*, provide the full legal name (include title and suffix) in the following format: Title (Ms, Dr, etc.); First Name; Middle Initial; Last Name; Suffix (Jr., PE, Ph.D., etc.).
 - *Phone* - Unless otherwise indicated, the phone number provided should be the number where the individual can be contacted during daytime business hours.
 - *Electronic Pager* – If company personnel are provided emergency pager numbers, they must be listed.
 - *Contact Person* - Provide the name of the specific individual within the company whom DEP may contact.
1. *Applicant* - Fill in the name and phone number exactly as it appears on the *Permit Application Transmittal Form*.
 2. *Primary Contact* - If you have authorized a consultant, engineer, attorney or other individual to act for you during the processing of the license application, complete this section. DEP will direct copies of all correspondence and inquiries to the primary contact.

3. *Attorney* - It is not required that an applicant be represented by an attorney or any other agent. If you do have an attorney, complete this section.
4. *Facility Owner* - List the owner of the facility to be licensed.
5. *Facility Operator* - List the entity responsible for managing the terminal operation. The operator may be different than the owner. Examples of separate owner and operator are a lessee of the land or buildings on which the facility is located, or a person under contract specifically to conduct the day to day business of the facility. In addition, list the alternate operator.
6. *Terminal Manager* - List the terminal manager, if different than the terminal operator. Both the business and home phone numbers are required.
7. *Qualified Individual and Alternate Qualified Individual* - List the qualified individual and alternate qualified individual as listed in the facility response plan (33 CFR 154.1026).
8. *Engineers or Consultants* - List engineers or consultants employed or retained to assist in preparing the application or to design, construct or inspect the proposed facility.

Part IV: Site Information

1. The facility name, if applicable, should be the name by which the facility is commonly known and/or uniquely identified.

The information given as the location address should be the address of the property at which the proposed activity will take place. Include the street address and municipality. If the property does not have a street number, describe the location in terms of the distance and direction from an obvious landmark such as an intersection with another roadway, a bridge, or a river. For example, " . . . on River Street, approximately 1000 feet north of its intersection with Bear Swamp Road."

Provide the latitude and longitude, in degrees, minutes and seconds, of the marine pier or other point where the product enters the facility. In addition, please indicate the method used to determine the latitude and longitude coordinates. There are a variety of methods of deriving latitude and longitude coordinates with the Global Positioning System (GPS) being the most accurate.

2. Activities within the state's coastal area must be consistent with the Connecticut Coastal Management Act (CGS Sections 22a-90 through 22a-112). You may be required to complete a *Coastal Consistency Review Form* (DEP-APP-004) to demonstrate that the activity is consistent with the standards and policies of the Connecticut Coastal Management Act. To determine whether this requirement pertains to you, you must first decide if your activity is, or is proposed to be, located in either the coastal area or the coastal boundary.

The *coastal area*, as defined in CGS Section 22a-94 (a), includes the land and water within the following towns:

Branford	Guilford	Old Saybrook
Bridgeport	Hamden	Orange
Chester	Ledyard	Preston
Clinton	Lyme	Shelton
Darien	Madison	Stamford
Deep River	Milford	Stonington (Borough and Town of)
East Haven	Montville	Stratford
East Lyme	New London	Waterford
Essex	New Haven	West Haven
Fairfield	North Haven	Westbrook
Greenwich	Norwalk	Westport
Groton (City and Town of)	Norwich	
	Old Lyme	

The *coastal boundary*, as defined in CGS Section 22a-94(b), is a designated region within the coastal area. It is delineated on DEP-approved coastal boundary maps which are available for review at the DEP Office of Long Island Sound Programs (OLISP), the DEP File Room, and municipal offices of towns located in the coastal area. Copies of these maps may also be purchased from DEP Maps and Publications.

Activities within the coastal boundary:

If your activity is, or is proposed to be, located in the coastal boundary and you are applying for either a new permit or a modification to an existing permit, you must complete a *Coastal*

Consistency Review Form (DEP-APP-004) and submit it with your application as Attachment C.

For renewals of existing permits for activities located within the coastal boundary, you are not required to submit a *Coastal Consistency Review Form* with your initial application materials. However, DEP may notify you that submission of this form is required to process your application depending upon the specific activities to be conducted and their potential impact on coastal resources.

Activities outside the coastal boundary but within the coastal area:

For permit applications (new permits, modifications, or renewals) for activities located outside of the coastal boundary, but within a town in the coastal area, you are not required to submit a *Coastal Consistency Review Form* with your initial application materials. However, DEP may notify you that submission of this form is required to process your application depending upon the specific activities to be conducted and their potential impact on coastal resources.

If you need copies of the *Coastal Consistency Review Form*, call the Permit Assistance Office (860) 424-3003. For assistance in completing the form, or if you have questions on this process, call OLISP at (860) 424-3034.

3. CGS Section 26-310 provides that any activity authorized by a state agency, including any activity issued a permit or license by DEP, must not threaten the continued existence of any endangered or threatened species. DEP has produced a set of maps entitled "State and Federal Listed Species and Natural Communities". These maps serve as a preliminary screening tool to assist in the evaluation of impacts to endangered and threatened species.

In order to determine whether your proposed activity is located within an area where it may threaten the continued existence of an endangered or threatened species, consult the above referenced maps. These maps are currently available in the DEP File Room located on the store level at 79 Elm Street, Hartford. If your proposed activity is located

within the shaded areas of concern as indicated on these maps, a detailed review will be conducted by DEP to determine if there will be any impact from your project. If a field survey of the project area has been conducted to identify the presence of any endangered, threatened or special concern species, indicate the biologist's name who conducted the field survey, and his or her address, and submit a copy of the field survey with your application as Attachment D.

If you have any questions on this process prior to submitting your application, call the Permit Assistance Office (860) 424-3003.

Part V: Supporting Documents

All permit applications must include Attachments A through L, unless otherwise noted in these instructions. Place a check mark in the appropriate box by each applicable attachment as verification that all applicable attachments have been submitted. Please label all attachments as referenced in the license application form and these instructions and be sure to include the name of the applicant as indicated on the *Permit Application Transmittal Form*.

Any plans required as attachments under this part, must be kept up to date with DEP. Whenever modifications are made, the replacement pages (numbered and with a cover page identifying the document) should be transmitted to:

MARINE TERMINAL PROGRAM COORDINATOR
DEPARTMENT OF ENVIRONMENTAL PROTECTION
79 ELM STREET
HARTFORD, CT 06106-5127

If you have any questions on whether a new document or a new certification needs to be filed, contact the Marine Terminal Program Coordinator at (860) 424-3298.

Attachment A: United States Geological Survey (USGS) Map

Submit as Attachment A, a full size original of a USGS topographic quadrangle map, at a scale of 1:24,000, indicating the exact location of the facility. DEP will use this map to enter your project location into its Geographic Information System (GIS). It is important that you accurately locate the project site

and proposed activities because the GIS generates natural resource information relevant to your site. An inaccurate description of the project location will delay processing of your application.

See Figure A, on the following page, for the example of how a USGS Map must be labeled when submitted.

Attachment B: Applicant Compliance Information Form

CGS Section 22a-6m provides for DEP review of an applicant's record of compliance with the environmental laws of Connecticut, any other state, and the federal government. Under the Act, DEP may consider the applicant's environmental compliance record, as well as the record of the applicant's principals and any parent companies or subsidiaries, when reviewing a permit application.

All permit applications for activities **not previously permitted by DEP** must include a completed *Applicant Compliance Information Form* (DEP-APP-002) as Attachment B. The form includes a series of questions that the applicant must answer. If you answer yes to any of the questions on this form, you must complete the Table of Enforcement Actions as follows:

1. **Type of Enforcement Action:** Identify each enforcement action as one of the following:
Administrative order (including consent orders)
Judgment, order, or decree
Criminal conviction
2. **Date:** List the date each administrative order was issued or civil or criminal action was commenced.
3. **Jurisdiction:** For each listed enforcement action, indicate whether a state court, a federal court, a state agency or a federal agency was involved. Identify such court or agency.
4. **Case/Docket Number:** List the case or docket number of each enforcement action listed.
5. **Description of Violation:** Provide a brief description of the violation involved in the listed enforcement action and any requirement or penalty imposed as a result of such action.

You do not need to submit copies of any documents associated with any enforcement actions with your application initially, although DEP retains the right to request these documents at a later date.

Attachment C: Coastal Consistency Review Form

Activities within the state's coastal area must be consistent with the Connecticut Coastal Management Act (CGS Sections 22a-90 through 22a-112). You may be required to complete a Coastal Consistency Review Form (DEP-APP-004) to demonstrate that the activity is consistent with the standards and policies of the Connecticut Coastal Management Act. Please refer to the instructions in Part IV, Item 2, to determine if this requirement pertains to you.

Attachment D: Field Study

Submit a copy of any field surveys conducted to identify the presence of any endangered or threatened species or species of special concern as Attachment D, as explained in Part IV, item 3 of these instructions.

Attachment E: Spill Prevention Control and Countermeasure (SPCC) Plan

The Spill Prevention Control and Countermeasure (SPCC) Plan must present, in detail, information required in 40 Code of Federal Regulations (CFR) Part 112.1 through 112.7. The SPCC Plan must be certified by a Connecticut Licensed Professional Engineer knowledgeable in terminal design and construction. All plans should be replaced or modified in accordance with 40 CFR Part 112.1 through 112.7 whenever there are tank, dock or loading rack changes. Additionally, all SPCC plans must be recertified by a Connecticut Licensed Professional Engineer every three years.

Attachment F: Detailed Site Plan

Each site plan should measure approximately 24" x 36", and show:

- current capacities of tanks and dikes;
- type of product stored and tank numbers
- locations of all tanks, piping, pumps and valves;

Figure A: Marine Terminal Example

USGS Quadrangle Map: New Haven
Map Scale: 1:24,000 (1"=2,000')

* Please include Latitude and Longitude for this location in your application

Primary location where product received (e.g., marine pier or pipeline) *

Boundary of activity



- loading racks;
- dock facilities; and
- size and location of holding tanks or separators.

All required information does not have to be placed on one site plan. The site plan must be stamped and signed by a CT Licensed Professional Engineer or Land Surveyor.

Whenever there are modifications to the terminal structures listed above, you must submit a revised site plan to the Marine Terminal Program Coordinator.

Attachment G: Facility Inspection

Include a copy of the most recent external and internal inspections conducted by a qualified engineer for each tank shown on the detailed site plan, a schedule for future tank inspections and a copy of the most recent dock and bulkhead inspection conducted by a qualified marine engineer for each dock and bulkhead shown on the detailed site plan as Attachment G. Also include a testing schedule for tank overfill alarms.

Attachment H: Facility Response Plan

All applicable facility response plan(s), required by the United States Coast Guard (33 CFR Part 154.1010 through 154.1075), the United States Environmental Protection Agency (40 CFR Part 112.20) and all other federal agencies under the Oil Pollution Act of 1990 (OPA 90) must accompany the application. For example, facilities which receive product transfers from vessels, or have capacity over 42,000 gallons may be required to have a USCG Response Plan and should check with the Coast Guard at (203) 468-4468.

Attachment I: Spill Containment Equipment List

A listing of all spill containment equipment stored at the facility (size, type and amount of containment boom, boat, motors, trailer, etc.) must be included in your application as Attachment I. Section 22a-457a of the Connecticut General Statutes requires a boom or other device to contain oil spills. Include in Attachment I a listing of the number of feet of boom committed to this purpose, the alternate method used or the booming contractor used.

Attachment J: U. S. Coast Guard Certificate of Adequacy

Include the most recent Certificate of Adequacy or other evidence of review from the U. S. Coast Guard as Attachment J.

Attachment K: Terminal Operations Manual

The Terminal Operations Manual as required by the U. S. Coast Guard under 33 CFR Part 154.300 through 154.325 must be included in your application as Attachment K.

Attachment L: Additional Spill Prevention and Emergency Notification Precautions for Automated Terminals

Is this an automated terminal operating without terminal employees in attendance at any time? If so outline as Attachment L what additional spill prevention and emergency notification precautions have been added.

Part VI: Application Certification

After the application has been completed it must be reviewed and signed by both the applicant and the individual(s) who actually prepared the application. By their signature, they certify that to the best of their knowledge and belief, the information contained in the application, including all attachments, is true, accurate and complete.

The certification of the application package must be signed as follows:

- For an individual(s) or sole proprietorship, by the individual(s) or proprietor, respectively;
- For a corporation, by a principal executive officer or of at least the level of vice president;
- For a partnership, by all general partners;
- For a municipal, state, or federal agency or department, by either a principal executive officer or a ranking elected official or by other representatives of such applicant authorized by law.

An application will be considered insufficient unless all required signatures are provided.

Available Resources:

Below is a list of possible resources for specific information required for this application. Be sure to first check your local town hall or library for maps and other reference materials.

- Coastal Boundary Areas: Town Hall and/or DEP Maps and Publications; "Coastal Boundary Map"
- USGS Topographic Quadrangle Map: DEP Maps and Publications, (860) 424-3555
- Endangered or Threatened Species Areas: DEP File Room; "State and Federal Listed Species and Natural Communities"
- Pollution Prevention: A variety of pollution prevention publications are available from the Office of Pollution Prevention, (860) 424-3297

- State and federal statutes and regulations are available for review at various locations:

State Library (Hartford)

University of Connecticut Law School (Hartford)

Yale University Law School (New Haven)

Superior Courthouse Libraries (located throughout the state)

Both the DEP Maps and Publications (860) 424-3555 and the DEP File Room (860) 424-4180 are located on the store level at 79 Elm Street, Hartford, CT. Please call the appropriate office in advance for hours of operation.

For guidance on federal regulations, contact the U.S. Environmental Protection Agency, Region 1 Call Center at (617) 918-1111 or the U. S. Coast Guard Captain of the Port in New Haven at (203) 468-4464.